

Adopted

Rejected

## COMMITTEE REPORT

YES: 7

NO: 3

### MR. SPEAKER:

*Your Committee on Employment and Labor, to which was referred House Bill 1289, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1           Page 1, line 6, delete "adopted by ASME" and insert "**specified by**
- 2           **ASME A17.1-2000 or any subsequent adoption of a later edition of**
- 3           **the Safety Code for Elevators and Escalators adopted by the**
- 4           **commission as required by IC 22-13-2-2(d), incorporated by**
- 5           **reference in 675 IAC 21-3-1 and amended by 675 IAC 21-3-2, does**
- 6           **not apply to a hydraulic elevator that was installed before January**
- 7           **2, 2003, in which the hydraulic cylinder shaft travels less than**
- 8           **thirty (30) feet, if the hydraulic elevator is:**
- 9               (1) **modified to meet compliance with Rule 8.6.5.8 of the Safety**
- 10            **Code for Elevators and Escalators as specified by ASME**
- 11            **A17.1-2000;**
- 12               (2) **modified through the installation of a plunger gripper in**
- 13            **compliance with section 3.17.3 of ASME A17.1-2004 and, after**
- 14            **installation, the plunger gripper is inspected and maintained**
- 15            **in accordance with the requirements of ASME A17.1-2004; or**

**(3) maintained, monitored, and inspected at least once every two (2) months by an elevator mechanic to ensure that the proper level of hydraulic fluid remains to keep the elevator in proper operating order.**

SECTION 2. IC 22-15-5-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) The following definitions apply to sections **1.6 and 7** through 16 of this chapter:

(1) "Competency examination" means an examination that thoroughly tests the scope of the knowledge and skill of the applicant for the license.

(2) "Educational institution" has the meaning set forth in IC 20-12-0.5-1.

(3) "Elevator apprentice" means an individual who works under the direct supervision of a licensed elevator mechanic. The term includes an individual commonly known as an elevator helper while working under the direct supervision of a licensed elevator mechanic.

(4) "Elevator contractor" means a person who alone or with other persons, constructs, repairs, alters, remodels, adds to, subtracts from, or improves a regulated lifting device and who is responsible for substantially all the regulated lifting devices within the entire project, or who fabricates elevator lifting devices substantially completed and ready for installation.

(5) "Elevator inspector" means an individual who conducts the acceptance inspection of a regulated lifting device required by section 4(c)(1)(A) of this chapter.

(6) "Elevator mechanic" means an individual who engages in the construction, reconstruction, alteration, maintenance, mechanical, or electrical work or adjustments of a regulated lifting device.

(7) "License" means a certificate issued by the department that confers upon the holder the privilege to act as an elevator contractor, elevator inspector, or elevator mechanic.

(8) "Licensing program" means the program for licensing elevator contractors, elevator inspectors, and elevator mechanics established under this section and sections 7 through 16 of this chapter.

(9) "Municipality" has the meaning set forth in IC 36-1-2-11.

- 1           (10) "Person" means:
- 2           (A) a natural person;
- 3           (B) the partners or members of a partnership or a limited
- 4           partnership;
- 5           (C) an educational institution; or
- 6           (D) a corporation or the officers, directors, and employees of
- 7           the corporation.
- 8           (11) "Practitioner" means a person that holds:
- 9           (A) an unlimited license;
- 10          (B) a limited or probationary license;
- 11          (C) a temporary license;
- 12          (D) an emergency license; or
- 13          (E) an inactive license.
- 14          (b) The commission and the department shall establish a program to
- 15          license elevator contractors, elevator mechanics, and elevator
- 16          inspectors.
- 17          (c) The department shall issue a license as an elevator contractor, an
- 18          elevator mechanic, or an elevator inspector to a person who qualifies
- 19          and complies with the provisions of the licensing program. A person
- 20          who receives a license under this chapter is subject to the supervision
- 21          and control of the department.
- 22          (d) The department may contract with public and private institutions,
- 23          agencies, businesses, and organizations to implement all or part of its
- 24          duties established under this chapter.
- 25          (e) The commission may adopt rules under IC 4-22-2 to implement
- 26          the licensing program."
- 27          Page 1, delete lines 7 through 12.
- 28          Renumber all SECTIONS consecutively.
- (Reference is to HB 1289 as introduced.)

**and when so amended that said bill do pass.**

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Representative Torr